

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

Global Kids, Inc.,

Plaintiff,

v.

Stichting Global Kids Show,

Defendant.

Case No. 09-Civ-00436 (CM)

USDS SDNY
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DOC #: _____
DATE FILED: 9/3/09

CIVIL CASE MANAGEMENT PLAN (REVISED)

1. This case is to be tried to a jury.
2. Answer shall be served by September 1, 2009.
3. Discovery pursuant to Fed. R. Civ. P. 26(a)(1) shall be exchanged by September 8, 2009.
4. No pleading may be amended after October 6, 2009.
5. All discovery, *including expert discovery*, must be completed on or before January 22, 2010. PLEASE NOTE: the phrase "all discovery, including expert discovery" means that the parties must select and disclose their experts' identities and opinions, as required by Fed. R. Civ. P. 26(a)(2), *well before* the expiration of the discovery period. Expert disclosures conforming with Rule 26 must be made no later than the following dates: Plaintiff expert report(s) by November 13, 2009; Defendant expert report(s) by December 18, 2009.
6. Judge McMahon's Rules governing electronic discovery apply automatically to this case. The parties must comply with those rules unless they supersede it with a consent order. The text of the order will be found at www.nysd.uscourts.gov.
7. This case has been designated to the Hon. United States Magistrate Judge Ronald L. Ellis for resolution of discovery disputes. Do not contact Judge McMahon about discovery disputes; go directly to your assigned Magistrate Judge. Discovery disputes do not result in any extension of the discovery deadline or trial-ready date, and Judge McMahon must approve any extension of the discovery deadline in non-pro se cases. *The Magistrate Judge cannot change discovery deadlines unless you agree to transfer the case to the Magistrate Judge for all purposes*. Judge McMahon does not

routinely grant extensions so counsel are warned that if they wait until the last minute to bring discovery disputes to the attention of the Magistrate Judge, they may find themselves precluded from taking discovery because they have run out of time.

8. A joint pre-trial order in the form prescribed in Judge McMahon's individual rules, together with all other pre-trial submissions required by those rules (*not* including *in limine* motions), shall be submitted on or before February 26, 2010. Following submission of the joint pre-trial order, counsel will be notified of the date of the final pre-trial conference. *In limine* motions must be filed within five days of receiving notice of the final pre-trial conference; responses to *in limine* motions are due five days after the motions are made. Cases may be called for trial at any time following the final pre-trial conference.

9. No motion for summary judgment may be served after the date the pre-trial order is due. *The filing of a motion for summary judgment does not relieve the parties of the obligation to file the pre-trial order and other pre-trial submissions on the assigned date.*

10. The parties may at any time consent to have this case tried before the assigned Magistrate Judge pursuant to 28 U.S.C. § 636(c).

11. This scheduling order may be altered or amended only on a showing of good cause that is not foreseeable at the time this order is entered. *Counsel should not assume that extensions will be granted as a matter of routine.*

[Signatures on Next Page]

Dated: August 25, 2009
New York, New York

Upon consent of the parties:

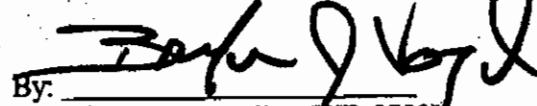
GIBBONS P.C.



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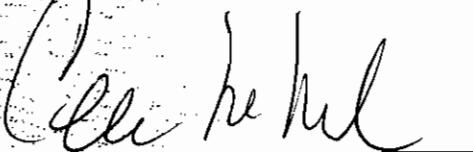
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Attorney for Defendant

SO ORDERED:



Hon. Colleen McMahon
United States District Judge

